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BEFORE THE STATE PUBLIC CHARTER SCHOOL AUTHORITY

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In re:
NEVADA CONNECTIONS ACADEMY.

ADMINISTRATIVE HEARING
TELEPHONIC DEPOSITION OF
GINA HAMES
JULY 6, 2017
Carson City, Nevada

REPORTED BY: DEBORA L. CECERE NV CCR, #324, RPR
JOB NO.: 403762A

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A P P E A R A N C E S

FOR THE STATE OF NEVADA

SENIOR DEPUTY ATTORNEY GENERAL
GREGORY D. OTT
100 North Carson Street
Carson City, NV 89701-4717
gott@ag.nv.gov

FOR NEVADA CONNECTIONS ACADEMY

DAVIS GRAHAM AND STUBBS, LLP
BY: ERICA NANNINI, ESQ.
-AND-
BY: LAURA GRANIER, ESQ.
50 West Liberty Street, Suite 950
Reno, NV 89501
laura.granier@dgsllaw.com
(Telephonic Appearance)

ALSO PRESENT:
PATRICK GAVIN

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I N D E X

CROSS-EXAMINATION

PAGE

BY MR. OTT

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E X H I B I T S

NUMBER	DESCRIPTION	PAGE
Exhibit 1	Declaration of Gina Hames	5

Original Exhibit to Original Transcripts

1 BE IT REMEMBERED that on Thursday, the 6th day
2 of July, 2017, at the hour of 11:01 a.m. of said day at the
3 Offices of the Attorney General, 100 North Carson Street,
4 Carson City, Nevada, before me, DEBORA L. CECERE, a
5 certified court reporter, telephonically appeared GINA
6 HAMES, who was by me first duly sworn, and was examined as
7 a witness in said cause.

8 -oOo-

9
10 (Exhibit Number 1 was marked for
11 identification.)

12
13 MR. OTT: Before we go on the record, because
14 the deponent is telephonic, the court reporter asked that
15 we do a stipulation that she is who she says she is, and
16 that neither of us are objecting to her testifying
17 telephonically. There's no problem on your end with that,
18 is there?

19 MS. NANNINI: No problem on our end.

20 MR. OTT: Okay. Laura, are you going to want to
21 make an objection regarding scope, or are we clear on that?

22 MS. GRANIER: Well, my recollection is that at
23 the hearing the chairman did consider the scope of the
24 direct examination. So I will make that objection just to
25 preserve it for the record, but I am considering the

1 citation that Mr. Ott provided to NRS 233B.

2 MR. OTT: Okay. So I guess if you're going to
3 make those scope objections, maybe it's best that you say
4 scope so we can bracket those and then ask the board for a
5 larger determination on that before it gets admitted.

6 Is that fair?

7 MS. GRANIER: We could, or in the interest of
8 time we could just make the objection now on the record
9 that anything beyond the scope of what was contained in the
10 declaration itself should not be admissible. And then we
11 don't have to interrupt you with objections.

12 MR. OTT: Yeah, I guess the -- I can foresee a,
13 a disagreement between us about what is within and without
14 scope. But, but I guess if we get to that we could take it
15 apart later.

16 MS. GRANIER: Yeah, I'm fine either way. I'm
17 trying to make the best use of, you know, we have limited
18 time today.

19 MR. OTT: Okay. I'm fine with just a blanket
20 objection now.

21 So do you want to swear the witness?

22 (Clarification by the court reporter.)

23 (Whereupon the witness was sworn.)

24 MR. OTT: And just so that it's clear, the State
25 Public Charter School Authority Staff has no objection, or

1 will stipulate that Gina Hames is present with Erica
2 Nannini and is not objecting to her telephonic testimony at
3 this time.

4 And I believe there's no objection on behalf of
5 Nevada Connections Academy, is that right, Ms. Nannini?

6 MS. NANNINI: That's correct.

7

8 GINA HAMES,
9 called as a witness in said case,
10 having been first duly sworn, was
11 examined and testified as follows:

12

13 CROSS-EXAMINATION

14

15 BY MR. OTT:

16 Q Okay. Ms. Hames, can you spell your last name
17 for the record?

18 A H-A-M as in Mary E-S.

19 Q Are you currently employed by Nevada Connections
20 Academy or Connections Education, LLC?

21 A Yes.

22 Q Which one?

23 A Oh, Nevada Connections Academy. Sorry.

24 Q Okay. Have you ever been employed by
25 Connections Education, LLC?

1 A No.

2 Q You currently run the Grad Point Credit Recovery
3 Program for NCA, correct?

4 A Yes.

5 Q And when I say NCA, I'm referring to Nevada
6 Connections Academy.

7 When did you assume that role?

8 A The beginning of the '16 -- excuse me -- '15/'16
9 school year.

10 Q Was anyone running Grad Point prior to you?

11 A Not at NCA, no.

12 Q Was anyone running it outside of NCA?

13 A Yes, it's a huge program that is used across the
14 nation. We launched the use of the credit recovery program
15 at NCA last year. We were not the original users.

16 Q And by last year, you mean the '15/'16 school
17 year?

18 A Yes.

19 Q So at the time of launch, you were the person
20 tasked with running the Grad Point Credit Recovery Program,
21 is that correct?

22 A Yes.

23 Q Okay. Do you know when Pearson Education
24 created the Grad Point Program?

25 A No. I could not say offhand, no.

1 **Q** **But it was prior to NCA's adoption of it,**
2 **correct?**

3 A Absolutely. I, I know that several other
4 schools had implemented it a few years earlier, but I don't
5 know how old it is.

6 **Q** **But you know it was in effect for at least a few**
7 **years prior to NCA's adoption?**

8 A Yes.

9 **Q** **When did you first learn about it?**

10 A The summer before the '15/'16 school year.

11 **Q** **And how did you learn about it?**

12 A I attended a training in Oregon because our
13 school was going to implement it to facilitate increasing
14 our graduation rate.

15 **Q** **Who tasked you with attending that training?**

16 A My school leaders and my managers -- the
17 principal, school leader and managers. I actually attended
18 with Joseph Thomas, Lisa Malacabago, and a couple of other
19 people came up to hear about the program, understand how it
20 works and to be ready to launch it for NCA in the fall of
21 '15.

22 **Q** **Can you please spell Ms. Malacabago's name for**
23 **the record?**

24 A M-A-L-A-C-A-B as in boy A-G-0.

25 **Q** **Do you know when the Grad Point program was made**

1 available to NCA by Pearson?

2 A No, I do not.

3 Q Do you know if there is an additional cost to
4 NCA for the Grad Point program?

5 A Yes, there is.

6 Q What is that cost?

7 A I do not know the exact cost, but we pay per
8 seat per student. So I know that that's why we only
9 purchased a hundred seats the first year we launched, and
10 we had upwards of 600 this year, preparing, I guess, for a
11 more saturated availability.

12 Q Okay. So, and when you say "first year," that
13 means '15/'16 school year?

14 A Yes.

15 Q And then last year was 600, so that would be the
16 '16/'17 school year, correct?

17 A That's correct.

18 Q With regard to the '15/'16 school year, which
19 would be that first year, were you involved in the
20 determination of how many seats would be available?

21 A No. I don't deal with the budget. I just deal
22 with the implementation of it. And that first year we were
23 focusing on credit deficit seniors, hoping to get the ones
24 that are kind of on the edge to be able to graduate. So we
25 had limited seats focusing on facilitating graduates that

1 year.

2 Q Do you know why that number of 100 seats was
3 chosen?

4 A I do not.

5 Q Stepping back --

6 A I believe it had to do with the budget.

7 Q Sorry. Can you repeat that?

8 A I'm guessing it had to --

9 MS. NANNINI: I will instruct the witness not to
10 guess.

11 THE WITNESS: Okay.

12 BY MR. OTT:

13 Q I, I just couldn't, I couldn't hear the answer
14 so I'm just asking it to be repeated.

15 A The answer is no, I don't know how that number
16 was determined.

17 Q Okay. Stepping back for a moment, did Grad
18 Point replace a different credit recovery program in place
19 at NCA?

20 A No, we did not have a credit recovery program at
21 NCA prior to Grad Point other than summer school to help
22 facilitate increasing credits.

23 Q And were you involved in any of those summer
24 school efforts?

25 A Yes. I identified students that needed to

1 recover credits. I enrolled them in the summer school
2 programs.

3 Q Were you running the program as well?

4 A No. Summer school programs would run entirely
5 separate, actually, from NCA.

6 Q Okay. Who runs the summer school program?

7 A I think (indiscernible.)

8 (Clarification by the court reporter.)

9 THE WITNESS: The National Connections
10 Education.

11 BY MR. OTT:

12 Q National Connections Education runs the summer
13 school program?

14 A Yes. iNaCa.

15 Q Can you spell iNaCa for us?

16 A It's a small i capital N small a capital C small
17 A.

18 I'm, I'm not sure that this year our summer
19 program is through iNaCa because I don't deal with the
20 original credit courses. I only am familiar with the
21 credit recovery.

22 Q But prior, prior to the institution of Grad
23 Point, summer school was run by iNaCa, is that correct?

24 A Yes, we bought seats through them.

25 Q Do you know what the cost for a seat for iNaCa

1 was?

2 A No.

3 Q Were you involved in any determinations as to
4 how many seats you had purchased from iNaCa?

5 A No. My participation was solely trying to get
6 students in and recommending them and being their advocate
7 to be placed in summer school.

8 Q Are any of the costs for Grad Point passed along
9 to the student?

10 A No. Not at our school. Not at this time.

11 Q Have they ever been?

12 A Not at our school.

13 Q Have any of the costs -- were any of the costs
14 of iNaCa passed along to a student?

15 A No. Unless they register on their own. We have
16 a certain amount of scholarship money that we enroll our
17 students with, and if the student doesn't qualify or
18 doesn't get it, they have to pay for it themselves.

19 Q And that's for iNaCa?

20 A Uh-huh.

21 Q But that's -- is that also true for Grad Point?

22 A No.

23 Q With regard to the 2016/'17 school year, you
24 stated previously that the participation in Grad Point went
25 up to, I believe you said 600 seats per year, is that

1 accurate?

2 A To the best of your knowledge, yes.

3 Q Were you involved in the determination of
4 whether to increase the program size?

5 A From '15/'16 to '16/'17, you mean?

6 Q Yes.

7 A No, I think it was just always understood that
8 we were going to start with a limited number to kind of get
9 the feel for it and see how it works and see what the
10 results were and then the intent was to expand after that.
11 That was not my decision.

12 Q Do you know how it was determined how many
13 students would participate in '16/'17?

14 A I don't know that there was a specific number of
15 students. I believe that our counseling team was reviewing
16 all the students that came to us or were credit deficit and
17 off cohort, and were trying to get every student who was
18 off cohort or credit deficit into the program. I don't
19 know that it was the other way around.

20 Q Okay. So to your knowledge, were there any
21 students who were eligible in '16/'17 that did not
22 participate in Grad Point?

23 A No.

24 Q With regard no the '17/'18 school year, have any
25 determinations been made as to the number of students to be

1 involved in that year?

2 A Not that I -- I don't have any idea.

3 Q Do you believe that the same process you just
4 described, which was that every student eligible would be
5 enrolled in Grad Point, will be in place for the '17/'18
6 school year?

7 MS. NANNINI: Objection, I think that calls for
8 speculation.

9 MR. OTT: Okay. I'll rephrase.

10 BY MR. OTT:

11 Q I believe the testimony was that all the
12 students who are eligible in '16/'17 were enrolled in Grad
13 Point, is that correct, Ms. Hames?

14 A To the best of my knowledge, that is correct,
15 yes.

16 Q Is that going to be in place for the next year,
17 to the best of your knowledge?

18 A I have not been informed one way or the other.

19 Q But you haven't been informed of any change in
20 the eligibility for the upcoming school year?

21 A No, no, I have not.

22 Q Okay. Do you know who makes the determinations
23 on how many seats are available?

24 A No.

25 Q Who relays the decisions about availability to

1 **you?**

2 A I only enroll the list of kids that I get. I
3 don't have any input into the available seats or who is
4 getting them. The counseling team reviews the transcripts,
5 the list of students that need the courses are provided to
6 me, and my job as the administrator of Grad Point is to
7 enroll them in and section them in and get them set up to
8 participate.

9 **Q What position did you hold with NCA in 2013 when**
10 **its charter was renewed?**

11 A I was an advisory teacher.

12 **Q And what were your duties?**

13 A Monitoring and supporting students' success and
14 making sure that they're on the path to graduation.

15 **Q Were you responsible for a specific subject?**

16 A No, advisory teachers handle the student as a
17 whole and their approach to school as a whole. We don't
18 work with specific content areas.

19 **Q How many students did you have assigned to you**
20 **as an advisory teacher?**

21 A When?

22 **Q In 2013.**

23 A I would be guessing because I don't remember
24 back that far.

25 **Q Don't guess --**

1 MS. NANNINI: I'm going to advise --

2 THE WITNESS: I, I know how many I have this
3 year.

4 BY MR. OTT:

5 Q Are you able to provide any sort of an
6 estimate -- well, let's do it this way.

7 As an advisory teacher you oversaw a number of
8 students, and now as the, running the Grad Point program,
9 you oversee a number of students.

10 Did the number of students increase when you
11 became the Grad Point coordinator?

12 A No.

13 Q Did it decrease?

14 A I have, I am still an advisory teacher while I
15 am also administrating the Grad Point program. And when we
16 implement Grad Point, in order to be able to have the
17 quality of support and contacts that these at-risk students
18 need, each advisory teacher was given a case load of 100,
19 which was significantly lower than any we'd ever had
20 before.

21 Q So under Grad Point, advisory teachers have a
22 case load of 100, correct?

23 A Yes. That is correct.

24 Q And prior to that it was significantly higher?

25 A Yes. That is correct.

1 **Q Are you able to provide any estimate of what you**
2 **think it was prior to the implementation of Grad Point?**

3 A Not without guessing.

4 **Q Do you understand the difference between an**
5 **estimation and a guess?**

6 A It would be a guess on my part right now, not an
7 estimation.

8 **Q Okay.**

9 MS. NANNINI: I would advise that the witness
10 not guess.

11 MR. OTT: Agree. And I don't want the witness
12 to guess either, and she's not entitled to guess, but I am
13 entitled to an estimation if she can make one. And that's
14 why I asked if she knew the difference between an
15 estimation and a guess.

16 MS. NANNINI: She understands the difference,
17 and she would be guessing in this instance.

18 MR. OTT: Okay. But it's more than 100, so
19 we'll leave it there.

20 THE WITNESS: It's something more than 100.

21 BY MR. OTT:

22 **Q Are you aware of any graduation rate improvement**
23 **plans put in place in or around 2013?**

24 A (Indiscernible.)

25 (Clarification by the court reporter.)

1 THE WITNESS: I asked by whom, whose graduation
2 improvement plans?

3 BY MR. OTT:

4 Q NCA.

5 A As a school?

6 Q Yes.

7 A I can't say exactly what that is, no. But each
8 year advisory teachers and PLCs create their own, and they
9 always deal with increasing the graduation rate.

10 Q Advisory teachers, and did you say "PLC"?

11 A Yeah. The Professional Learning Program. We
12 get together to discuss how to better help our students
13 succeed.

14 Q And is that a group of individuals?

15 A The teachers that are working with the students,
16 yes.

17 Q And so how many people are comprised in that
18 group of advisory teachers and PLC?

19 A Well, it varies from year to year. It could be
20 6. It could be 12.

21 Q Okay. But those people create an individual
22 plan for student improvement each year?

23 A Yes, we set a goal and work towards achieving
24 that goal, which is, pretty much always boils down to how
25 can we increase the graduation rate.

1 Q And how long have you been participating in
2 those meetings?

3 A Since I've been employed with NCA.

4 Q Which is for the past five years, correct?

5 A Yes.

6 Q Do you feel like those plans have been
7 successful?

8 A Yes.

9 Q How do you evaluate the success of those plans?

10 A By credit accrual and the increased numbers
11 of -- the success is determined based on actual final
12 graduation rates and also by course completions and by
13 credit accrual.

14 Q And does the panel or the group of individuals
15 that you described make a determination regarding success,
16 or when I asked you for your opinion of success was that
17 your personal opinion that you the just gave?

18 A So the success is based on data.

19 Q So does the panel make a determination?

20 A No.

21 Q So when I asked you for --

22 A I --

23 Q Go ahead. You can finish.

24 A We just implement it and then see if we reached
25 our goals by whether or not the data reflects an increase

1 or an improvement.

2 **Q What kind of goals do you set annually?**

3 A I just explained the goals are increased course
4 completion, increased credit accrual, increased graduation
5 rates.

6 We also set goals that are more student-based
7 such as engagement, note taking, and help facilitate better
8 student participation and outcomes based on behaviors.

9 **Q When you say you set goals in the first three,**
10 **which is course completion, credit accrual, and graduation**
11 **rates, are those numerical goals that you set?**

12 A Yes, percentages, percentage increases.

13 **Q Percentage increases over the prior year?**

14 A Yes.

15 **Q Have you set those goals for the upcoming school**
16 **year yet?**

17 A No. We don't even have the data for this year
18 yet.

19 **Q Do you remember what those goals were for the**
20 **past school year?**

21 A Not exactly, but I know that our specific goal
22 was increasing the graduation rate.

23 **Q Was it increasing it by a certain percentage?**

24 A I believe so, yes.

25 MS. NANNINI: I'm sorry. Objection. I think

1 she stated she doesn't know. So I think it calls for
2 speculation to continue.

3 MR. OTT: Okay. That's noted.

4 BY MR. OTT:

5 Q So do you know what the percentage increase was?

6 A It hasn't been determined -- oh, for what our
7 goal was set for?

8 Q For the past year, correct.

9 A No. But to the best of my recollection, I
10 believe it was five percent, but that could have been the
11 year before. I honestly don't remember exactly.

12 Q Okay. That's fine.

13 Do you have an opinion regarding whether the
14 Grad Point program that you're running will increase the
15 schools four-or-five year graduation rate?

16 A Yes.

17 Q Do you believe it will?

18 A Yes.

19 Q Do you have an opinion regarding how much of an
20 increase the school is likely to experience annually?

21 MS. GRANIER: Objection, lacks foundation --

22 THE WITNESS: I --

23 (Simultaneous speakers.)

24 MS. GRANIER: -- calls for speculation. This is
25 (indiscernible.)

1 THE COURT REPORTER: This is what?

2 MS. GRANIER: I was just letting you know this
3 is Laura not Erica.

4 MR. OTT: That's noted. You can answer.

5 THE WITNESS: What was the question again? I'm
6 sorry.

7 MR. OTT: Can I have you read that question
8 back, please?

9 (The record was read back by the
10 court reporter.)

11 THE WITNESS: Yes.

12 BY MR. OTT:

13 Q What is that opinion?

14 A Well, if all we're reviewing is the initial
15 enrollment population, it would increase significantly, but
16 how much it increases is going to decline by how many more
17 at-risk students come in throughout the year.

18 So it's totally always in flux. And in a
19 perfect world it would work really well. But as soon as we
20 get two kids on track with Grad Point, we've got four new
21 ones that just came in. So it's almost like we're running
22 in place in my opinion.

23 Q I appreciate that. Let me make sure I
24 understand, and correct me if I'm misstating what you're
25 saying.

1 You believe that the Grad Point will result in
2 increases in graduation rates for your existing students,
3 correct?

4 A Yes, that is correct.

5 Q However, you believe that new students who will
6 enroll credit deficient will cause your graduation rate to
7 decline, is that correct?

8 A Absolutely.

9 Q And because you have one population who's
10 experiencing an increase, and another population
11 experiencing a decrease, you're unable to have any sort of
12 opinion regarding whether the net will be an increase or a
13 decrease, is that fair?

14 A Yes.

15 MR. OTT: That's all I have. Erica, if you have
16 any redirect?

17 MS. NANNINI: I have nothing on redirect.

18 MR. OTT: Okay. That's all that I have. Thank
19 you.

20 Ms. Hames, thank you for taking time out of your
21 day. I know it's not fun to be asked a bunch of questions
22 over a phone with a court reporter, but I appreciate your
23 cooperation.

24 THE WITNESS: Thank you.

25 ///

1 (Whereupon an off-the-record
2 discussion was had.)

3

4 (Whereupon the deposition was
5 concluded at 11:35 p.m.)

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1 STATE OF NEVADA)
2 WASHOE COUNTY) ss.

3 I, DEBORA L. CECERE, a Certified Court Reporter, State
4 of Nevada, do hereby certify:

5 That on Thursday, the 6th day of July, 2017, at the
6 hour of 11:01 a.m. of said day, at 100 North Carson Street,
7 Reno, Nevada, telephonically appeared GINA HAMES, who was
8 duly sworn by me to testify the truth, the whole truth, and
9 nothing but the truth, and thereupon was deposed in the
10 matter entitled herein;

11 That I am not a relative, employee or independent
12 contractor of counsel to any of the parties; or a relative,
13 employee or independent contractor of the parties involved
14 in the proceeding, or a person financially interested in
15 the proceeding;

16 That I am not related to any of the parties to this
17 action by blood or marriage, and that I am in no way
18 interested in the outcome of this matter;

19 That the foregoing transcript, consisting of pages 1
20 through 26 is a full, true and correct transcription of my
21 stenotype notes of said deposition.

22 DATED: At Reno, Nevada this 17th day of July,
23 2017.



24 DEBORA L. CECERE, NV CCR #324, CA CSR #8821

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ERRATA SHEET

I declare under penalty of perjury that I have read the
foregoing _____ pages of my testimony, taken
on _____ (date) at
_____(city), _____(state),
and that the same is a true record of the testimony given
by me at the time and place herein
above set forth, with the following exceptions:

Page	Line	Should read:	Reason for Change:
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Date: _____

Signature of Witness

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Name Typed or Printed

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